

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

KENNETH YATES and RICHMOND MAY)
DAY COALITION/ORGANIZING)
COMMITTEE,)

Plaintiffs,)

v.)

BRYAN NORWOOD, in his official capacity)
as Chief, City of Richmond Police)
Department; CAPTAIN MICHAEL J.)
SHAMUS, in his official capacity as head of)
the Special Events Division, Richmond Police)
Department; and SERGEANT JOHN)
WARD, in his official capacity as Sergeant,)
Special Events Division, Richmond Police)
Department.)

Defendants.)

Civil No. 3:11cv258

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OFFICE OF CITY ATTORNEY

PLAINTIFFS' RESPONSE TO DEFENDANTS' FIRST SET OF INTERROGATORIES

Plaintiffs hereby respond to defendants' First Set of Interrogatories as follows:

1. Please identify the irreparable injury and/or harm that you have suffered as the result of the City of Richmond's alleged Parade permit denial. As a part of your response, please identify, as that term has been previously defined to you in Defendant Bryan Norwood's First Set of Interrogatories, each person who will attest to the veracity of this injury and/or damaged.

Answer:

1. Plaintiffs have suffered and will suffer irreparable injury to their First Amendment right to free speech by being unable to hold their May 1, 2011 march as planned.
2. Plaintiffs have suffered and will suffer irreparable injury to their First Amendment right not to be subjected to parade permit procedures that do not have clearly defined guidelines for their implementation.



For purposes of the preliminary injunction hearing on April 26, 2011, plaintiffs intend to rely on their Verified Complaint to substantiate these injuries. Should further testimony be needed, plaintiffs will call Kenneth Yates, 1012 W. 49th St Richmond, Virginia 23225, 804-317-1938

2. With respect to your contention that the City of Richmond denied you a Parade permit, please identify, as that term has been previously defined to you in Defendant Bryan Norwood's First Set of Interrogatories, each person who made each such denial; the type of denial whether written or oral; and the date and time when each such denial occurred.

Answer:

As set forth in the Verified Complaint, on April 11, 2011, 9:14 a.m., plaintiff Kenneth Yates received a telephone message from a person identifying himself as Officer Roelke and stating that he was speaking on behalf of defendant John Ward telling him that the permit was denied. Yates called Officer Roelke back on the same date at 9:20 a.m., at which point Officer Roelke stated that the permit would not be granted unless plaintiffs paid for off-duty police officers. Yates called Officer Roelke again at 12:13 p.m. to ask how much off-duty police officers would cost.

The denial was oral and not written. Yates asked Officer Roelke to send him a written denial, to which Officer Roelke said something to the effect of "We don't do that. It's not protocol."

To the best of plaintiffs' knowledge, Officer Roelke and defendant Ward are employed by the City of Richmond Police Department, 200 West Grace Street, Richmond, Virginia, 23219. Further identifying information about them is unknown.

3. With respect to your contention contained in paragraph 14 of your Complaint that "The Committee does not have \$294 to pay for off duty police officers and cars", please identify, as that term has been previously defined to you in Defendant Bryan Norwood's First Set of Interrogatories, each member of the Richmond May Day Coalition.

Answer:

Plaintiffs affirmatively state that the Richmond May Day Coalition does not charge membership dues or and does not receive financial contributions from its members. The Coalition itself currently has no funds.

The members of the Richmond May Day Coalition are as follows (contact information is as complete as available):

Richmond Teachers For Social Justice (www.rvatsj.org), 804-274-8720

Flying Brick Community Library (www.flyingbrickrva.wordpress.com),
theflyingbrick@riseup.net

Students for Democratic Society (Virginia Commonwealth University)
(<http://sdsvcu.wordpress.com/>)

War Is A Crime (<http://warisacrime.org>), 434-296-4228

Socialist Party of Central Virginia (www.spcva.org), 536 Meade Avenue
Charlottesville, VA 22902

Southerners On New Ground (SONG) (www.southernersonnewground.org), 250
Georgia Avenue , Suite 201, Atlanta, GA 30312, 404.549.8628

La Brigada, mllaut@gmail.com

Workers and Students United: Living Wage Campaign at University of Virginia
(<http://livingwage.wordpress.com>)

Richmond, Virginia Industrial Workers of the World (www.richmondiww.org),
Richmond IWW, P.O. BOX 7055, Richmond, Virginia 23221, 804.496.1568

Virginia Organizing (www.virginia-organizing.org), 703 Concord Avenue,
Charlottesville, VA 22903, 434-984-4655

Church Hill Food Not Bombs, 804-516-3062

Resource Information Help for the Disadvantaged (www.rihd.org), PO Box 55, Highland
Springs, Virginia 23075

Richmond Reproductive Freedom Project (www.rrfp.net), P.O. Box 7389, Richmond,
Va. 23221

Mended Arrow (www.mendedarrow.com), 200 W. Marshall St, Richmond, VA 23220,
804-928- 3047

Richmond Transit Riders Union (www.richmondtru.org), 804-322-9145

Residents of Public Housing in Richmond Against Mass Eviction
(www.rephrase.blogspot.com), 123 East Broad St., Richmond, VA 23219,
(804) 643-1086 ext. 104

WTBK Poder 1380 AM (www.wbtk.com), 3600 W. Broad St., Suite 696, Richmond,
VA, 23230, 804-353-8544

Virginia New Majority (www.virginianewmajority.org), 3801 Mount Vernon Avenue,
Alexandria, VA 22305, (703) 684-5697

Wingnut Anarchist Collective (www.wingnutrva.org), PO Box 6025, Richmond, VA
23222, 804 303 5449

Charlottesville Peace Center (www.charlottesvillepeace.org), P.O. Box 2012
Charlottesville, VA 22902, 434 961-6278

Inqueeries, 540-834-8029

Richmond Food Not Bombs (www.richmondfoodnotbombs.wordpress.com), 804-303-
5449

Another Limited Rebellion Design (<http://www.ALRdesign.com>), 2701 Edgewood Ave
Richmond, VA 23222, 804.321.6677

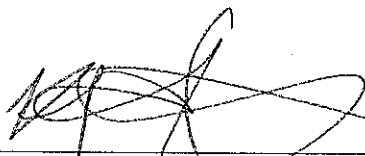
Board of Directors of the First Unitarian Universalist Church of Richmond
(<http://richmonduu.org/>), 1000 Blanton Avenue, Richmond, VA 23221, (804) 355-0777

Richmond Peace and Education Center (www.rpec.org), 400 W. 32nd St, Richmond, VA
23225, 804-232-1002

I declare under penalty of perjury that the foregoing is true and correct to the best of my
knowledge.

4/25/11

Date

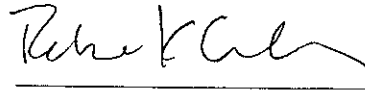


Kenneth Yates

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of April, 2011, I served the foregoing by hand delivery upon the following:

Brian K. Telfair
Deputy City Attorney
Office of the City Attorney
City Hall, Room 300
900 E. Broad Street
Richmond, Virginia 23219
Brian.Telfair@richmondgov.com

A handwritten signature in black ink, appearing to read "Rebecca K. Glenberg", written over a horizontal line.

Rebecca K. Glenberg

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Wingnut Anarchist Collective (www.wingnutrva.org), PO Box 6025, Richmond, VA 23222, 804 303 5449

Charlottesville Peace Center (www.charlottesvillepeace.org), P.O. Box 2012 Charlottesville, VA 22902, 434 961-6278

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